

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SAADYA MASTAFA and KAFIA ISMAIL,

Plaintiffs,

v.

AUSTRALIAN WHEAT BOARD LIMITED aka  
AWB LIMITED, AWB (U.S.A.) LIMITED, and  
BANQUE NATIONALE DE PARIS PARIBAS,

Defendants.

ECF CASE

No. 07 CIV 7955 (GEL)

**DECLARATION OF DANIEL P. ROESER IN SUPPORT OF  
DEFENDANTS AWB LIMITED'S AND AWB (U.S.A.) LIMITED'S  
MOTION TO DISMISS THE CLASS ACTION COMPLAINT WITH PREJUDICE**

DANIEL P. ROESER hereby declares as follows:

1. I am a member of the bar of the State of New York. I am associated with the firm of Cravath, Swaine & Moore LLP, attorneys for Defendants AWB Limited and AWB (U.S.A.) Limited in this action. I submit this declaration in support of Defendants' Motion to Dismiss the Class Action Complaint with Prejudice.

2. Attached hereto as Exhibit A is a true and complete copy of a printout from the official website of the State of Delaware, stating the date on which AWB (U.S.A.) Limited was incorporated in that state.

3. Attached hereto as Exhibit B is a true and complete copy of pages 84-86 from Volume 1, Chapter 3, of the report entitled Report of the Inquiry into certain Australian companies in relation to the UN Oil-for-Food Programme, by The Honourable Terence RH Cole AO RFD QC, commissioner of said Inquiry, dated November 2006.

4. Attached hereto as Exhibit C is a true and complete copy of a letter, dated December 13, 2007, from Jennifer L. Spaziano of Skadden, Arps, Slate, Meagher & Flom LLP, counsel for defendant BNP Paribas, to Timothy G. Cameron of Cravath, Swaine & Moore LLP, counsel for defendants AWB Limited and AWB (U.S.A.) Limited, regarding dismissal of this case in favor of Australia pursuant to the doctrine of forum non conveniens.

5. Attached hereto as Exhibit D is a true and complete copy of United Nations Development Programme: Programme on Governance in the Arab Region: Arab Countries Profiles: Iraq In Brief, available at [www.pogar.org/countries/country.asp?cid=6](http://www.pogar.org/countries/country.asp?cid=6).

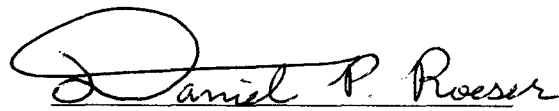
6. Attached hereto as Exhibit E is a true and complete copy of pages 665-672 of The Statesman's Yearbook 2008: The Politics, Cultures and Economies of the World (Barry Turner ed., 2007).

7. Attached hereto as Exhibit F is a true and complete copy of pages 1-31 of Transitional Justice Working Group, The Future of Iraq Project: The Road to Re-establishing Rule of Law and Restoring Civil Society (Mar. 2003), available at [www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB198/FOI%20Transitional%20Justice.pdf](http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB198/FOI%20Transitional%20Justice.pdf).

8. Attached hereto as Exhibit G is a true and complete copy of M. Cherif Bassiouni, Postconflict Justice in Iraq, Hum. Rts. Mag., Winter 2006, available at [www.abanet.org/irr/hr/winter06/bassiouni.html](http://www.abanet.org/irr/hr/winter06/bassiouni.html).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 14, 2007.

  
Daniel P. Roeser